

U.S. Patent Application Serial No. 10/662,450
Response filed June 28, 2006
Reply to OA dated April 3, 2006

REMARKS

Claims 9-12 are pending in this application, with claims 1-8, 13 and 14 canceled. No amendment is made in this Response. It is believed that this Response is fully responsive to the Office Action dated **April 3, 2006**.

Previous rejections over claims 9-12 are maintained for those reasons set forth above.

(Office action paragraph no. 2)

This apparently refers to the rejections under 35 U.S.C. 102(b) over Synder et al. US 6,554,467, Kawashima US 6,338,671, Snyder US Pub. No. 2002/0085447, Lai US 6,721,628, Kawashima US Pub. No. 2001/0002361, Kawashima US 6,358,125, Hiraoka US 6,874,929, Hiraoka US Pub. No. 2005/0142883, and Hiraoka US Pub. No. 2002/0186613, in the Office action dated October 19, 2005.

The rejections of claims 9-12 are respectfully traversed, and reconsideration of the rejections is requested.

In the Amendment dated January 19, 2006, claim 9 was amended to add the step of: "setting an initial mixing amount of the oxidizing agent less than the amount required for the oxidizing agent to match a target concentration of the oxidizing agent in the slurry," and Applicant argued that this overcame the rejections.

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On page 2 of the Office action, the Examiner provides a Response to Arguments. The Examiner argues that in continuous processes, the concentration of the oxidizing agent would vary, and that the prior art teaches using a concentration detector for measuring the oxidizer concentration, which would involve detecting a value below the target value.

In responding to the final rejection, Applicant respectfully notes that the Examiner has not referred to the specific teaching of any of the cited references in making these remarks. Under 37 CFR 1.104(c)(2), the Examiner should designate the specific part of the reference relied on in the rejection.

In traversing the rejections, Applicant again submits that the references do not disclose specifically having an “**initial** mixing amount of the oxidizing agent less than the amount required for the oxidizing agent to match a target concentration of the oxidizing agent.” That is, the target concentration is only achieved later, and is higher than the initial concentration. The fact that some of the references use a sensor to adjust the concentration of the oxidizing agent (in particular, Snyder '476, Snyder '447, Lai '628, Kawashima '361 and Kawashima '125), does not mean that these references disclose an **initial** mixing amount of oxidizing agent as recited in present claim 9.

Applicant has previously noted that Kawashima '671 discloses only that a “small amount” of hydrogen peroxide or potassium permanganate is added to the polishing liquid, and no adjustment based on electrode 78 is disclosed.

Applicant has previously argued that Snyder '467 initially sets the amount of oxidant **equal** to the target amount, and that the adjustment of oxidant in Snyder occurs only **after decomposition**

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of some of the oxidant. In this regard, Applicant notes that Snyder '467 discloses adding hydrogen peroxide initially only based on "preset weights" (column 3, line 65) and the later disclosure that "the hydrogen peroxide component ... is known to decompose with time" and that this is "maintained within specification limits" (column 6, lines 4-9) implies that the **initial amount is maintained**. This clearly is not a teaching of an initial value that is **less** than the "specification limit" (i.e., target) level. The teaching of Snyder et al. '447 is essentially the same as that of Snyder et al. '467.

Applicant has similarly argued with respect to Lai '628, in which a supplementary quantity of oxidant is transmitted into the distribution tank if the amount is insufficient. Note that the reference states: "**If** the quantity of oxidant does not reach the required criterion," (abstract, emphasis added). This clearly implies that the case of having less than the required amount does not always occur. That is, the initial value is not intentionally made less than a target value.

Applicant has similarly argued with respect to Hiraoka '929, Hiraoka '883 and Hiraoka '613.

Reconsideration of the rejections is therefore respectfully requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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